

DECLARATION OF DENISE DELEMAR

1. My name is Denise Deleamar. I am over the age of 18. I am fully qualified to make this declaration. The facts contained herein are within my personal knowledge and are true and correct.

2. I have never lived in Texas.

3. I have never owned any property located in Texas.

4. I have never voted in Texas.

5. I have never had a bank account in Texas.

6. I currently reside in North Carolina.

7. During my employment with EbenConcepts Company ("Eben"), I lived and worked in North Carolina.

8. For Eben, I was an account manager and administrative assistant. I worked with clients and agents located in North Carolina and South Carolina. I did not work with clients or agents located in Texas.

9. During my 14 years of employment with Eben, I traveled to Texas on approximately two occasions, to attend mandatory administrative meetings. The last mandatory meeting I attended in Texas occurred in or around September 2014. Each meeting involved me spending about two days in Texas.

10. During my 14 years of employment with Eben, I rarely, if ever, sent emails to or telephoned Eben's office in Texas. Eben's president worked in my office, in Fayetteville, North Carolina. Also, my supervisor, Kelly Sherrill, was located in Fayetteville, North Carolina.

11. I was hired by Eben from a temporary staffing agency. The agency sent me to meet with Chris Harrison, Eben's former president. Before I met with Mr. Harrison, I did not know that Eben was a Texas company.



12. Orchestrate HR (orchestratehr.com) was referred to within Eben as its "home office" (even though it is, I believe, a separate company). Orchestrate HR handled our payroll, benefits, etc. As part of my job duties, I had to communicate with Orchestrate HR, located in Texas. I would estimate that approximately 2% of my weekly communications were with Orchestrate HR.


13. When I was with Eben, my payments came from Vologic Inc. (vologic.com). I believe that Vologic Inc. is a separate company from Eben. Attached as Exhibit "1" is a true and correct copy of my 2020 IRS Form W-2, from Vologic Inc., in payment for the work I did for Eben. The form identifies my North Carolina address.

14. The Agency Employment Agreement attached as Exhibit "C" to Eben's Complaint was presented to me while I was in North Carolina, and I signed it in North Carolina.

15. Having to travel to Texas for trial and other case-related events would be costly and inconvenient for me. I would have to purchase a round-trip airline ticket and pay for ground transportation, lodging and food.

I declare under penalty of perjury that the foregoing is true and correct.

Signed on March 23, 2021.


Denise Delemar

Copy B - To Be Filed With Employee's FEDERAL Tax Return.		41-0852411 OMB No. 1545-0008	
a Employee's soc. sec. no.	1 Wages, tips, other comp. 4286.27	2 Federal income tax withheld 334.03	
	3 Social security wages 4286.27	4 Social security tax withheld 265.75	
b Employer ID number (EIN)	5 Medicare wages and tips 4286.27	6 Medicare tax withheld 62.15	
c Employer's name, address, and ZIP code VOLOGIC INC 5050 SPRING VALLEY RD DALLAS, TX 75244			
d Control number T MB154V			
e Employee's name, address, and ZIP code DENISE M DELEMAR 6188 LAKEWAY DR FAYETTEVILLE, NC 28306			
7 Social security tips	8 Allocated tips	9	
10 Dependent care benefits	11 Nonqualified plans	12a Code: See inst. for box 12	
13 Statutory employee	14 Other \$125 - 106.58	12b Code	
Retirement plan		12c Code	
Third-party sick pay		12d Code	
NC 66	4286.27	153.00	
15 State Employer's state ID number	16 State wages, tips, etc.	17 State income tax	
18 Local wages, tips, etc.	19 Local income tax	20 Locality name	

Form W-2 Wage and Tax Statement
This information is being furnished to the Internal Revenue Service.

2020

Dept. of the Treasury -- IRS
www.irs.gov/efile

Copy 2 - To Be Filed With Employee's State, City, or Local Income Tax Return.		41-0852411 OMB No. 1545-0008	
a Employee's soc. sec. no.	1 Wages, tips, other comp. 4286.27	2 Federal income tax withheld 334.03	
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Form W-2 Wage and Tax Statement

2020

Dept. of the Treasury -- IRS

